

Stephen L. Simonton
Stephen L. Simonton, PC
1222 Eleventh Street
Cody, WY 82414
Phone: 307-587-7010
Telefax: 307-587-2746
simonton@wavecom.net
Wyo. State Bar # 4-1063
Attorney for Plaintiffs

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING

**MARTIN CHAPARRO, and)
JAMES GOULD and ERIN GOULD,)
and ERIN GOULD as natural guardian)
for FRANK GOULD and)
JASMINE GOULD,)**

Civil Action No. 08 CV - 049B

Plaintiffs,

vs.

**COLORADO CASUALTY INSURANCE)
COMPANY,)**

Defendant.)

***PLAINTIFFS' CONDITIONAL DESIGNATION OF
STUART G. GOODMAN, M.D.
AS TREATING PHYSICIAN WITNESS***

In compliance with USD CtLR 83.6(d), and the Order on Initial Pretrial Conference, Plaintiffs herewith designate Stuart G. Goodman, M.D. of the Deaconess-Billings Clinic, of Billings Montana, as a health care provider who may be called to express opinions in testimony at trial as to the care, treatments, examinations, testing, diagnoses and/or

prognoses of the injuries to Plaintiff Martin Chaparro proximately caused by and reasonably necessary for the treatment of injuries resulting from the vehicle crash which gave rise to this litigation. As revealed by Plaintiff Chaparro's medical records (provided on multiple previous occasions to Defendant), Dr. Goodman provided a neurological consultation to Jimmie Biles, M.D. on February 19, 2005, but was unable at that time to arrive at definitive conclusions about neurological and spinal injuries that Mr. Chaparro received in the collision of February 17, 2004. Dr. Biles has been providing continuing care to Mr. Chaparro. Recently, as the result of an examination by Dr. Biles on June 23, 2008, Dr. Biles determined that a further neurological referral and consultation is required. (A copy of Dr. Biles' notes on this was sent to Plaintiffs' and Defendant's counsels by Dr. Biles on July 10, 2008.) Dr. Goodman is very busy and has a very full schedule. For the last three weeks, Dr. Biles's office has been attempting to arrange a prompt appointment for Mr. Chaparro for this consultation, but has not yet heard back from Dr. Goodman. Plaintiffs likewise have contacted Dr. Goodman's office repeatedly about receiving copies of his complete CV, lists of publications and cases, and fees and conditions. Plaintiffs will forward the documentation when received.

Dr. Goodman practices with Northern Rockies NeuroSurgeons, PLLC (NRN) whose telephone number is 1-866-822-1530 and located in the Yellowstone Medical Building, 2900 12th Avenue North, Suite 340 West, Billings, MT, 59101. NRN's web site states that prior to joining NRN, Dr. Goodman was affiliated with the Palm Beach Gardens Medical

Center in Florida. He received his medical degree at the University of Arizona in 1979, and within the next five years completed his internship at the University of Miami Affiliated Hospitals, completed a one-year Neurology residency at the University of Colorado, and completed a residency in Neurosurgery at the University of Utah Affiliated Hospitals. Dr. Goodman participated in the initial development of the three-dimensional computerized atlas of the thalamic nuclei at the University of Pittsburgh with Dr. John Vries. He also trained in functional and stereotactic neurosurgery at the University Hospital of Zurich with Professor Dr. Jean Siegfried. Despite our attempts to obtain one, NRN has not yet provided us with a schedule of fees and charges for Dr. Goodman's participation in depositions, testimony and/or preparations therefor. We will forward and file copies of the CV, Fee schedule, list of publications, and list of cases as soon as we receive it.

In view of the ongoing care for Mr. Chaparro, and the fact that the appointment with Dr. Goodman (or a substitute) will not occur for some time, Plaintiffs are uncertain at this time if Dr. Goodman will be testifying in this case. His prior opinions and the bases for them are summarized in Plaintiffs' Exhibit 190 which is submitted herewith.

Dated: this 16th day of July, 2008.

/s/Stephen L. Simonton
Stephen L. Simonton
Wyo. Bar No. 4-1063
Stephen L. Simonton, PC
simonton@wavecom.net

1222 - 11th Street
Cody, Wyoming 82414
(307) 587-7010
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, Stephen L. Simonton, hereby certify that on this 16th day of July, 2008, I served a true and correct copy of the foregoing Designation by filing it with the Clerk of Court using the CM/ECF system which will send notification to counsel for the Defendant at the following e-mail address and also mailed by U.S. Mail:

John A. Coppede, Hickey and Evans

jcoppede@HickeyEvans.com

John M. Walker

jwalker@hickeyevans.com

Howard Victor Scotland, III

hscotland@hickeyevans.com

HICKEY & EVANS, LLP

1800 Carey Ave, Ste 700

PO Box 467

Cheyenne, WY 82003-0467

Ph: (307) 634-1525

/s/Stephen L. Simonton

Stephen L. Simonton

simonton@wavecom.net